

**RECEIVER'S MAY 2015 MONTHLY REPORT PURSUANT TO  
PARAGRAPH 4 OF THE ORDER APPOINTING THE RECEIVER**

Dr. Ronald R. Sims, Receiver

May 15, 2015

**PART I: SIGNIFICANT ACTIONS TAKEN BY THE RECEIVER DURING  
THE PRIOR MONTH TO EXECUTE THE DUTIES LISTED IN  
PARAGRAPH 3 OF THE RECEIVER'S ORDER**

In Part I of the Monthly Report, the Receiver discusses the significant actions taken during the prior month to execute the duties listed in Paragraph 3 of the Order Appointing the Receiver. To the extent possible, Part I of the Report is organized according to the specific subparagraphs of Paragraph 3. Some of the Receiver's duties, however, have overlapping features and will require overlapping activities to complete them. Where this is the case, the Report may discuss the Receiver's activities and plans for more than one subparagraph simultaneously.

- a. Oversee and direct all employment decisions of the County as defined herein, and preserve, protect, and administer all property, assets, and employees required for the discharge of his duties hereunder;*
- c. assume responsibility for fulfillment and implementation of all functions and obligations required of the County Manager and County Commission as specified in sub-paragraph 2(a) above, and supervise day-to-day compliance with the same by all employees of the County;*

**Workforce Services Division (WSD)**

The Workforce Services Division has been involved in the following activities during this month:

- A total of 56 contracts have been reviewed and approved during this time period. One contract was submitted to the Personnel Board, and is pending review and approval.
- 18 FLMA requests have been received and approved, in addition the Division has processed 3 Military Leave Requests, 3 Leave Without Pay Requests and 8 FMLA Return to Work/Extension Requests.

The chart below provides updated information on the positions which have been filled to date based upon interim selection procedures (including, in some instances, lottery selection):

Position Title	Department	#Requested on Critical Needs	# Budgeted	#Positions Filled
Juvenile Detention Officer*	Family Court	3 (2 female, 1 male)	3	<u>Females</u> : 2 positions filled. <u>Males</u> : Awaiting additional qualified candidates from PBJC.
Senior Property Appraiser	Board of Equalization	2	2	2 filled; start date 5/18/15
Laborer*	Environmental Services	1	1	1 pending start date 5/26/15
Laborer*	Roads & Transportation	14	14	8 filled; 5 pending background; 1 pending start date
Laborer*	General Services	7	7	4 filled; 2 pending start date; 1 pending background
Pharmacy Manager	Cooper Green	1	1	Pending Board Approval
Administrative Clerk*	Human Resources	2	2	2 filled
Administrative Clerk*	Board of Equalization	4	4	3 filled; 1 pending background
Administrative Clerk*	Land Development	1	1	1 filled
Administrative Clerk*	Probate	1	1	1 pending start 5/18/15

Position Title	Department	#Requested on Critical Needs	# Budgeted	#Positions Filled
Administrative Clerk*	Tax Assessor	3	3	3 filled
Administrative Clerk*	Tax Collector	2	2	1 filled; 1 pending background
Administrative Clerk*	Comm. & Economic Development	2	2	2 pending start date 5/26; 6/1
Administrative Clerk*	OSCS	1	1	1 filled
Administrative Analyst	Cooper Green	1	1	Pending start date 6/1/15
Coordinator of Senior Citizens Services*	OSCS	1	1	1 filled
HVAC Refrigeration Technician*	General Services	3	3	3 filled
HVAC Refrigeration Technician*	Environmental Services	1	1	1 filled
Accounting Assistant II*	Tax Collector (Bessemer)	5	5	5 filled
Accounting Assistant II*	Revenue	4	4	3 filled; 1 pending start date
Accounting Assistant II*	Finance	1	1	1 filled

Position Title	Department	#Requested on Critical Needs	# Budgeted	#Positions Filled
Accounting Assistant II*	Tax Assessor (Birmingham)	1	1	1 filled
Accounting Assistant II*	Tax Collector (Birmingham)	3	3	2 filled; 1 pending start date
Property Appraiser*	Board of Equalization	8	8	8 filled
Manager, OSCS	OSCS	1	1	1 filled (provisional)
Accountant	Comm. & Economic Development	1	1	1 filled
GIS Specialist	Tax Assessor	2	2	1 filled
GIS Tech II	Tax Assessor	1	1	1 pending background

*\*Update from April 2015 Monthly Report.*

- b. assume responsibility for fulfillment and implementation of all terms of the County's 1982 Consent Decree, as modified by this Court on November 12, 2013 (doc. no. 1842), and ensure day-to-day compliance with the same by all employees of the County;***

### **Development and Implementation of Consent-Decree Compliant Selection Systems**

On July 11, 2014, the Court entered an order adopting the Receiver's proposed schedule for development of consent-decree compliant selection procedures for the first 17 jobs to be addressed in the Roads and Transportation Department. On Friday, May 8, 2015 in accordance with the Schedule, the Receiver delivered a report covering Consensus Point 5 for the jobs designated as "Group 3" (Heavy Equipment Operator, Construction Equipment Operator, Truck Driver, and Traffic Sign Painter). Additionally, restructuring of the content validity reports have taken place

to include regrouping of the jobs into Groups B and C. Given this, efforts are now being focused on administering the Siena-developed selection procedures for Group B (Street Paving Supervisor, Traffic Maintenance Supervisor, Traffic Striping Machine Crew leader, Traffic Striping Machine Operator, Traffic Sign Painter, Bridge Maintenance Worker, Chief Land Acquisition Agent, Drafter, and Highway District Superintendent) and Group C.

Performance Assessment staff members have begun to schedule and administer Group B test administrations. The following test administrations of Siena-developed selection procedures have been or will be conducted during the month of May:

Job Classification	Date of Administration	Number of Vacancies
Automotive Technician	May 4, 2015	4
Highway District Superintendent	May 12, 2015	1
Street Paving Supervisor	May 12, 2015	1
Traffic Maintenance Supervisor	May 13, 2015	1
Drafter	May 20, 2015	1
Traffic Sign Painter	May 21, 2015	1
Traffic Striping Machine Operator	May 21, 2015	1
Bridge Maintenance Worker	May 28, 2015	1
Traffic Striping Machine Crewleader	May 28, 2015	1
Total:		12

**Critical Needs and Interim Selection Procedures**

The following table summarizes the status of the job classifications and vacancies as to which County Department Heads and County Managers have communicated hiring needs to HR through the Critical Needs process (snapshot as of Friday, May 8, 2015):

Category	Number of Job Classifications	Number of Positions
Total Number of Critical Needs Jobs Submitted to HR:	97	309
Jobs Assigned to Siena Consulting:	34	129
Jobs Assigned to Performance Assessment/Interim Procedures:	63	180
Performance Assessment Interim Procedures Completed <sup>1</sup> :	33	124
Performance Assessment Interim Procedures Pending:	31	68

More specific information about the Receiver's progress in meeting these declared hiring needs is set out below.

Interim selection procedures for Accounting Assistant I, Maintenance Repair Worker, Tire Shop Supervisor, Traffic Control Superintendent, and Zoning Inspector have been developed by the Performance Assessment Division and are under review.

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<sup>1</sup> This means either: (a) that the project is cancelled or on hold at the request of management, or (b) that Performance Assessment has completed the development and administration of its interim selection procedure (including lottery selection procedures, where applicable), and hires either have been or are in the process of being made.

During the reporting period, the Performance Assessment staff administered interim selection procedures and provided the Receiver with the results upon which to make final selection decisions for the following jobs:

Job Classification	Date of Administration	Number of Vacancies
Auto Parts Clerk	Administration scheduled for April 16, 2015; cancelled due to lack of budgeted position	1
Senior Accountant	April 20, 2015	3
Public Works Supervisor	April 30, 2015	2
Medical Technologist	April 23, 2015	3
Senior Property Appraiser	May 5, 2015	2
Principal Accountant	May 7, 2015 (Lottery Selection)	1
Waste Water Treatment Plant Maintenance Worker	May 8, 2015 (Results Pending)	3
Administrative Supervisor	May 14, 2015 (Results Pending)	4
Total:		19

### **Upcoming Interim Selection Procedures**

As indicated above, the Performance Assessment Division is beginning to make significant progress in the area of developing and administering interim selection procedures to fill immediate vacancies at the County. This progress will be accelerating in the coming months as the selection procedure administration schedule begins to take shape. Between the filing of this Monthly Report and the upcoming Status Conference, interim selection procedures for the following job classifications will be administered:



Job Classification	Date of Test Administration	Number of Anticipated Vacancies
Zoning Inspector	May 19, 2015	2
Facilities Manager	May 26, 2015	2

### **Other Activities of the Performance Assessment Division**

Performance Assessment staff attended a job search support event offered by the Birmingham Public Library (BPL), and will likely partner with the BPL on future, similar events as SMEs. In addition, four members of the staff attended the annual Society of Industrial/Organizational Psychology conference in Philadelphia and are sharing best practice findings from this event with the full Performance Assessment team.

Performance Assessment members are continuing to work closely with the Personnel Board of Jefferson County in various capacities, including piloting the TMAP/Performance Appraisal process and participating in testing facility control room training while the County's testing facility is under review for development. Also, members of the Performance Assessment staff have participated as SMEs in the MUNIS/Tyler Technology meetings.

- d. implement employee training and development programs, including instruction designed to institutionalize expertise in the disciplines of Industrial and Organizational Psychology and Human Resources Management, and competence in the development and administration of lawful selection procedures for hiring and promotion in both classified and unclassified positions;*

No new report at this time.

- e. assess the present organizational structure of the County Human Resources Department, and design appropriate infrastructures, systems, and procedures that will institutionalize the ability of employees within that department to perform all functions—and particularly the functions of developing and administering lawful selection procedures for hiring and promotion—in an efficient, professional, and cost-effective manner . . . .*

Performance Assessment staff have been working on consolidating their experiences and expertise, including methodologies patterned after the Siena Consulting methods for developing structured oral interviews, into a written handbook to guide the Division's work. This document, which will continue to evolve over time, is intended to form the foundation of the "appropriate infrastructures, systems, and procedures" that will allow the County to develop and administer lawful employee selection procedures as a standard business practice.

#### **SHRM Certification Program**

Over the past few months, many HR employees have been participating in training for the Society for Human Resources Management Certified Professional (SHRM-CP) and Society for Human Resources Management Senior Certified Professional (SHRM-SCP). All classes and study sessions have been completed for the first group of employees, and certification exams are in the process of being scheduled.

- f. develop and implement a fast track plan for developing and administering lawful selection procedures to bring the County into compliance with all requirements of its 1982 Consent Decree, as modified by this Court on November 12, 2013 (doc. no. 1842)*

See above paragraph (b).

- g. develop and implement a fast-track plan to bring the County Human Resources Department in compliance with all provisions of paragraph 33 of its 1982 Consent Decree, as modified by this Court on November 12, 2013 (doc. no. 1842);*

**Assessment of Consent Decree Goals and Implementation of Paragraph 33(f) of the Consent Decree**

Over the reporting period, the Affirmative Action Officer has made tremendous progress on implementing the central Consent Decree provisions establishing the employment “goals,” as well as the semiannual monitoring of the achievement (or non-achievement) of those goals. The Affirmative Action Officer has developed working forms to guide and institutionalize the semiannual assessment of all goals outlined in the Consent Decree, and has conducted an initial review of the workforce analysis output from the Yocom & McKee software in order to make preliminary judgments about whether those goals are being met. Due to the large number of goals outlined in the Consent Decree, this is a detailed and tedious task. However, an initial assessment of most of the goals has now been completed, and is under further review. The Affirmative Action Officer anticipates releasing the first goals assessment during the upcoming reporting period. This goals assessment is anticipated to trigger the paragraph 33(f) supplemental certification process for certain jobs. A written process for implementing the supplemental certification provision of paragraph 33(f) has been developed, and additional internal operating procedures are under development and refinement as well.

**Complaint Activity**

The AAO continues to review the current weekly status reports of all known complainants. The Office of the AAO created one Master Complainant Status Report which includes individual case recommendations. The AA Office continuously updates the Master List with all complaints received by the Office. The AA Office received five new complaints since 4/13/2015. The Affirmative Action Office has experienced an upsurge of consultations in regards to discrimination, retaliation, and workplace harassment due impart to Consent Decree Training Workshops. The Office of the AAO continues to work through the backlog of cases that have not been closed yet.

There are a total of 32 employees with active complaints on file, two of which are ALWOP and RIF complaints.

<b>Affirmative Action Officer Case Action Report</b>	
Initial Cases Pending	208
New Cases	5
Cases Resolved/Closed	10
Month-End Total	203
Informal Consultations	1

### **Consent Decree Training**

An important function of the Affirmative Action Officer is to “advise black and female employees of the terms of [the] decree.” To this end, the AA Office began delivering formal Consent Decree training on February 19, 2015. The training curriculum, which has been in development for some months, covers the basic history of the Consent Decree, the Consent Decree’s major provisions, the role of the Affirmative Action Officer, and the County’s EEO Policy, as implemented by the Receiver. Handouts include a printed summary of the training content, as well as the EEO Policy itself.

Training workshops conducted during the reporting period are as follows:

### **General Services**

- Wednesday, 4/15
- Tuesday, 4/21
- Thursday, 4/23
- Monday, 4/27
- Total in attendance: 79

### **Cooper Green Mercy Clinic**

- Wednesday, 5/6
- Total in attendance: 17

### **Probate Court, Birmingham**

- Monday, 5/11
- Total in attendance: 39

### **Activities in Progress**

The AAO's Office will continue to schedule a number of training sessions in various departments throughout the County for the upcoming months, and will continue to perform the training sessions until all employees have been trained.

The Management Workshop has been developed. A draft of the presentation will be reviewed by the Receiver. A number of changes were made to the manager's presentation including incorporating employment law scenarios/case studies and changing the true/false quiz out for contingency planning. After the presentation, there will be a group exercise and breakout session that will involve small groups completing a more of/less of/same of exercise. This exercise will lead into the individual Action Plans. Each individual will complete an Action Plan for their respective departments.

### **Mediation Training**

The AA Office has submitted a proposal to form a Mediation/Employee Conflict Resolution Program. The benefits of having this program were listed in the proposal. The AA Office and HR will save an estimated 46 hours each week from a formal conflict resolution program.

It is estimated that each AAO analyst spends a total of 5 hours on complaints filed that will ultimately be disposition as outside of the AAO's purview. It is estimated that there are, on average, 3 of these cases a week. Additionally, there are 3 hours each week that the non-lead analyst will spend on each of these cases. In addition to official complaints that would benefit from a formal conflict resolution program, there are also, on average, two consultations each week, at one hour each, that both analysts are present for that are informal consultations that would also be likely be referred to a conflict resolution program.

It is estimated that Employee Relations spends on average 6 hours on each case and that there are on average 4 cases a week that would benefit from a Conflict Resolution program.

Two AA Office employees and three HR employees will participate in the Mediation/Employee Conflict Resolution Program Training to be held on June 11<sup>th</sup> – June 13<sup>th</sup>, in Birmingham. *The Mediation Process and the Skills of Conflict Resolution* is a comprehensive, engaging, and interactive learning experience. Among the many topics to be covered, participants will learn:

- The Stages and Goals of the Mediation Process
- The Role of the Mediator
- Do's and Don'ts in Mediation
- Mediation Styles
- Critical Conflict Resolution Skills and Techniques
- Strategies for Overcoming Impasse
- Mediation Advocacy Skills
- Ethics and Professional Standards for Mediators
- Tips for Starting a Mediation Practice

Upon the conclusion of training each participant will receive a Certificate of Completion.

### **Current Projects**

- Additional consent decree training workshops will be scheduled for future dates in the months of May & June.
- The AAO is in the process of completing semi-annual AAP reporting.
- The AAO continues to review analysts' weekly Complaint Status and Closed Complaint Reports.
- Developing a Mission Statement for AA Office.

- h. perform all other acts necessary to transform the County Human Resources Department into a strong and competent institution with a clearly defined mission, the infrastructure, systems, and skills to support that mission, the ability to provide meaningful accountability to the County's department heads, Manager, and Commissioners; and, an institution that discharges all functions in an efficient, professional, and cost-effective manner in substantial compliance with all applicable federal and state laws and regulations;*

**Human Resources Transformational Task Force (HRTTF)**

Five members of the HRTTF attended the Tyler Users Conference – Tyler Connect 2015 in Atlanta, GA.

The HRTTF continues to be actively engaged in the Munis ERP project as evidenced by the following:

**Munis ERP Project**

- Transformation Task Force (TTF) met with JeffCo Human Resources SMEs (SMEs) for in depth discussion of Personnel Action Codes and Descriptions in order to determine the proper codes needed within Munis.
- Worked with JeffCo Human Resources and Payroll SMEs regarding pay codes and shift differentials to determine accuracy of pay calculation.
- Conducted meeting with Pension Board SMEs regarding retiree data and Munis.
- Worked with the Human Resources Department SMEs to discuss Personnel Action Forms.
- Requested Information Technology support staff to research further as needed to determine if interface data between existing HR/Payroll and Pension exists.
- Participated in conference call with Tyler staff and Jefferson County's Human Resources SMEs regarding PA forms.
- Provided answers to questions from Tyler staff regarding USPS Certified Zip Code file for loading into Munis.
- Provided answers to questions asked by Tyler staff and sent reports or sample files for various purposes by Tyler on an "as needed" basis.
- Provided answers to questions to Tyler staff regarding deduction records for taxes.

- Provided Tyler with Retirees health benefits report and the Kronos Time Entry report.
- Attended meeting with Tyler staff and various JeffCo departments regarding Employee Licenses and Certifications; this illuminated the need for JeffCo to adopt a policy regarding licenses and certifications to prevent or reduce the risk of litigation.
- Attended a meeting with Human Resources SMEs and Tyler staff to review Separation Action Entry in Munis.
- Attended meeting with Tyler staff, JeffCo Human Resources and Payroll SMEs, regarding the Time Entry File-Kronos and the mainframe.
- Attended several meetings with Tyler SMEs regarding the Chart of Accounts and the Project Ledger.
- Attended Tyler Content Manager (TCM) System Admin training with Tyler.
- Participated in conference call regarding Post-live Munis Enhancements with Tyler staff
- Placed several files of employee deductions on the FTP server for Tyler's retrieval.
- Placed several reports of Occupational Taxes on the FTP server per Tyler's request.
- Placed the biweekly payroll files on Tyler's FTP site as needed.
- Placed HR, BMO, Payroll reports on Tyler FTP site again (initially done in February); the files are deleted after a few days and aren't always retrieved by Tyler staff prior to deletion.
- Directed TTF members in gathering Initiators and Approvers of department End Users of Munis Financial and HR / Payroll processes; this information is needed for setup of security, functional and data roles and workflow, to know how many classes to schedule (number of attendees, number of facilities and computers needed, etc.); an updated version (with totals) is provided periodically to the Tyler Project Manager to be as accurate and up-to-date as possible.
- Pulled payroll data files, deduction and time entry file information for Tyler SMEs and download to Munis ftp site.
- Directed JeffCo Project Manager to appropriate JeffCo I/T staff to answer questions regarding printers needed in the Financial areas of Munis; communicated status of requested printers and MICR toner when it was reported; an exception is being made for these printers to have static IP addresses to accommodate the needs of the Munis system.



- Created and sent updated text file of job classes and titles since two classes were identified as having been created since the last file was provided to Tyler staff.
- Security and Workflow training and homework to set up basic end users and requisitioners roles for data and users.
- Generated a Trial Balance report for Tyler to test crosswalk and master data.
- Worked on Data Conversion from mainframe to Munis database.
- Implemented Data Mapping for Conversion data from mainframe database to Munis ERP system based on analysis of the existing Human Resources and Payroll mainframe systems. Completed scope on the Data Mapping for Munis ERP system includes: Employee Personnel Actions History, Employee Deductions/Benefits History, Employee Check History, Employee Earnings History, Employee Sick/Vacation Leave Bank.
- Provided Human Resources and Payroll historical data from mainframe database and documentation to Tyler, including Employees Earnings History, Employee Deductions/Benefits History, and Personnel Actions History based on conducted data analysis.
- Organized and conducted Employee Licenses and Certifications analysis session with Tyler and County departments (BOE, R&T, Environmental Services, Inspections, Sheriff and Human Resources) to identify business areas, where County can take advantage of this feature.
- Cooper Green Certifications/Inoculations data, Oracle database. Complete extraction, review and data mapping. Provided mapped data to Tyler SME for import into Munis Certifications set.
- SME Environmental Services (ESD) Certifications data. Complete extraction, review and data mapping. Provided ESD Certifications data to Tyler for import into Munis Certifications set.
- Participated in Finance Functional and Data Roles, Security, and Workflow Setup.
- Set up Security and Workflow for Cooper Green.
- Set up Security and Workflow Journal Entry (JE) with Tyler Finance SMEs.
- Worked on setting up functional and data roles in the Munis live database.
- Continued developing Team Site using SharePoint Designer for training registration for Munis User Training.
- Attend Tyler's Project Status Meeting.
- Provide Tyler with Payroll Direct Deposit data.
- Attend Tyler-Sympro Debt Training, Time Entry File meeting, and Employee Licenses and Certification meetings with Tyler.

- Investigate issues with users that could not be added to the Munis Users group.
- Continue to work on Training Needs for End Users.
- Preparing for May 15th conversion 2nd pass.
- Created conversion report for purchase orders Round 2 and worked with purchasing staff to correct any deficiencies in the report.
- Created conversion report for vendors Round 2 and worked with finance staff to correct any deficiencies in the report.
- Attended several meetings with Tyler SMEs regarding the Chart of Accounts and the Project Ledger.
- Continued work on the Chart of Accounts crosswalk, pulling all active accounts from SAP and creating a mapping crosswalk from SAP to new Munis account numbers.
- Assisted HR and Imaging Vendor (IBML) with TCM Testing – Back Scanned HR Documents Project.
- Assist HR with Image scanning process as it relates to Tyler Content Manager (TCM).
- Research the possibilities of adding more fields to the Kronos-Munis Interface.

In addition, several employees in Human Resources, Performance Assessment, Affirmative Action and the Transformation Division continue to attend the SHRM-CP and SHRM-SCP class in order to obtain Society for Human Resource Management certifications. During the month, employees participated in a training session on U.S. Employment Laws and Regulations, conducted by Aaron Dettling. In addition, the employees participating in the training also received a presentation on Business and Human Resources Strategy from the Receiver.

***i. Develop and implement effective anti-discrimination and anti-nepotism policies on which all employees of the County shall receive periodic mandatory training;***

The HR Staff members, acting under the direction of the Receiver, have completed an initial re-draft of the HR Policies and Procedure Manual. The draft is under review by the Receiver and legal counsel.

- j. manage the Human Resources Department in a manner compliant with all applicable federal and state laws and regulations concerning the privacy and/or confidentiality of employee information, including but not limited to personal, medical, criminal, and financial information, as well as Social Security numbers;*

No new report at this time.

- k. develop and present to the Court for approval a plan for returning all powers, duties, and functions vested in the Receiver to the County Manager, Director of Human Resources, Affirmative Action Officer, and County Commission at the conclusion of this litigation.*

The overarching objectives of the Receivership are to remedy the County's record of contempt, to achieve a status of compliance with all terms of the 1982 Consent Decree, and to put in place practices, procedures, infrastructures, and attitudes that will put the County on a course to maintaining that compliant status on its own—all to the end that control over the local institutions of government may be returned to locally elected and appointed officials at the earliest possible date. At this time, however, it is not yet possible for the Receiver to predict when that transition will occur or what its specific parameters will be.

**PART II: ANY IMPEDIMENTS OR DIFFICULTIES THAT MAY JEOPARDIZE THE TIMELY COMPLETION OF THE PLAN**

None at this time.

**PART III: ANY CIRCUMSTANCES THAT MAY WARRANT MODIFICATION OF THE PLAN**

None at this time.